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9 Attorneys for USACM Liquidating Trust

10 **UNITED STATES BANKRUPTCY COURT**
11 **DISTRICT OF NEVADA**

12 In re:

13 USA COMMERCIAL MORTGAGE
14 COMPANY,

15 USA CAPITAL REALTY ADVISORS, LLC,

16 USA CAPITAL DIVERSIFIED TRUST DEED
17 FUND, LLC,

18 USA CAPITAL FIRST TRUST DEED FUND,
19 LLC,

20 USA SECURITIES, LLC,

21 Debtors.

22 **Affects:**

- 23 .. All Debtors
- 24 x USA Commercial Mortgage Company
- 25 .. USA Capital Realty Advisors, LLC
- 26 .. USA Capital Diversified Trust Deed Fund, LLC
- 27 .. USA Capital First Trust Deed Fund, LLC
- 28 .. USA Securities, LLC

29 Case No. BK-S-06-10725-LBR
30 Case No. BK-S-06-10726-LBR
31 Case No. BK-S-06-10727-LBR
32 Case No. BK-S-06-10728-LBR
33 Case No. BK-S-06-10729-LBR

34 **CHAPTER 11**

35 Jointly Administered Under Case No. BK-S-
36 06-10725 LBR

37 **NOTICE OF HEARING REGARDING
38 OBJECTION OF THE USACM
39 LIQUIDATING TRUST TO PROOF OF
40 CLAIM FILED BY LERIN HILLS LTD
(CLAIM NO. 1279)**

41 Hearing Date: April 26, 2007

42 Hearing Time: 9:30 a.m.

43 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM THAT
44 YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS APRIL
45 19, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
46 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS
47 REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM
48 SHOULD BE DIRECTED TO BMC GROUP AT 888-909-0100, OR
49 WWW.BMCGROUP.COM/USACMC, or to the undersigned counsel.**

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1 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust (“USACM
2 Trust”) by and through its counsel, has filed an Objection to Proof of Claim No. 1279 filed
3 by Lerin Hills Ltd. (the “Objection”). USACM Trust requests that the Court enter an
4 order sustaining its Objection in disallowing Claim No. 1279 filed by Lerin Hills in its
5 entirety, or alternatively, allow the Claim in an amount to be proven at trial.

6 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
7 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
8 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
9 **April 26, 2007, at the hour of 9:30 a.m.**

10 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON APRIL 26,
11 2007, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND
12 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE
13 HEARD ON THAT DATE.**

14 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed
15 by **April 19, 2007** pursuant to Local Rule 3007(b), which states:

16 If an objection to a claim is opposed, a written response must
17 be filed and served on the objecting party at least 5 business
18 days before the scheduled hearing. A response is deemed
19 sufficient if it states that written documentation in support of
the proof of claim has already been provided to the objecting
party and that the documentation will be provided at any
evidentiary hearing or trial on that matter.

20 If you object to the relief requested, you *must* file a **WRITTEN** response to this
21 pleading with the Court. You *must* also serve your written response on the person who
22 sent you this notice.

23 Please be advised that Local Rule 3007(c) provides in part: “If a written response is
24 not timely filed and served, the court may grant the objection without calling the matter
25 and without receiving arguments or evidence.” If you do not file a written response with
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1 the Court, or if you do not serve your written response on the person who sent you this
2 notice, then:

3

- 4 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 5 • The Court may *rule against you* without formally calling the matter at the hearing.

6 Dated: March 19, 2007.

7 **LEWIS AND ROCA LLP**

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9 By: /s/ RC (#6593)
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16 *Counsel for USACM Liquidating Trust*

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1 Proof of Service

2 Copy of the foregoing e-mailed on this 19th day of March, 2007 to all parties listed on the
3 master service list with e-mail addresses, and e-mailed or mailed to the following parties:4 Lerin Hills
5 4820 Bacon Rd.
5 San Antonio, TX 78249-40016 Thomas S. Harmon
7 Elms Harmon & Macchia
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